

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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333 EAST 60th STREET, INC., d/b/a Scores, East,

Plaintiff, 08 Civ. 4147 (RJS)

-against-

NEW YORK STATE LIQUOR AUTHORITY, DANIEL
B. BOYLE, individually, LAWRENCE J. GEDDA,
individually, NOREEN HEALEY, individually, and the
CITY OF NEW YORK,

**NOTICE OF CROSS-
MOTION TO DISMISS**

Defendants.

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PLEASE TAKE NOTICE that upon the annexed Declaration of Paula Van Meter, dated July 8, 2008, the City of New York's Memorandum of Law dated July 8, 2008, and upon the complaint and all papers and prior proceedings herein, the undersigned will move this Court before the Honorable Richard J. Sullivan at the United States Courthouse for the Southern District of New York, 500 Pearl Street, New York, New York, as soon as counsel may be heard, for an order pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure dismissing the complaint together with such other and further relief as the Court deems just, fair and equitable.

PLEASE TAKE FURTHER NOTICE, that in accordance with the Order signed by Judge Sullivan on June 19, 2008, and S.D.N.Y. Civil Rule 6.1(b), opposition papers

must be served on the undersigned within ten (10) days after service of this motion. Failure to do so will result in this motion being granted as unopposed.

Dated: New York, New York
July 8, 2008

MICHAEL A. CARDOZO
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